

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NEW YORK PRODUCE TRADE
ASSOCIATION, INC.

Plaintiff,

Index No: 08-cv-4230
(A.K.H.)

-against-

LOCAL UNION NO. 202, AN AFFILIATE OF
THE INTERNATIONAL BROTHERHOOD
OF TEAMSTERS,

Defendant.

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NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the accompanying memorandum of law defendant Local Union 202, An affiliate of the International Brotherhood of Teamsters by its Attorneys, Cary Kane LLP, will move this Court before the Honorable Alvin K. Hellerstein, United States District Judge, in Courtroom 14 D of the United States District Courthouse, 500 Pearl Street, New York, NY, 10007, for an Order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing plaintiffs' Complaint, and granting defendants such other relief against plaintiff as is just.

PLEASE TAKE FURTHER NOTICE that plaintiff is required to serve answering memoranda and affidavits, if any, upon the defendants' attorneys on or before June 13, 2008.

PLEASE TAKE FURTHER NOTICE that defendants are required to serve reply memoranda and affidavits, if any, upon the plaintiff on or before June 23, 2008.

Dated: New York, New York
May 27 2008

CARY KANE LLP

By:

A handwritten signature in cursive script, appearing to read "Larry Cary", written over a horizontal line.

Larry Cary (LC 3352)
Charles Pergue (CP 5619)
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